

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MICHAEL K. BLOCH,

Plaintiff,

v.

Case No. 07-C-0478

ROCKWELL LIME COMPANY,

Defendant.

ORDER

Plaintiff Michael K. Bloch sued his former employer, Rockwell Lime Company (“Rockwell”), for retaliation in violation of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101 et seq. On December 4, 2007, summary judgment was entered in Rockwell’s favor. On December 18, 2007, Rockwell submitted a bill of costs seeking to recover \$2,997.15 pursuant to Fed. R. Civ. P. 54(d) and 28 U.S.C. §§ 1920, 1924. Bloch objected to the costs in letters to the clerk filed on January 2 and January 15, 2008. Rockwell filed no response to his objections. Nonetheless, on February 7, 2008, the clerk taxed costs in the full amount requested by Rockwell. (Dkt. # 48.) Bloch has now filed a letter with the court claiming many of these costs were not taxable.

Local Rule 54.1(b) provides that following the submission of objections to a bill of costs and any response, costs will be taxed by the clerk on the basis of the written memoranda submitted by the parties. Fed. R. Civ. P. 54(d) and Local Rule 54.3 provide that a court may review the clerks’ action upon a motion for review filed within five days from taxation. Here, however, Bloch waited

over three months to request the court's review of the matter. Thus, his present challenge to the costs is untimely, and I decline to address his objections.

THEREFORE IT IS ORDERED that the plaintiff's motion for review of the costs taxed in this matter is **DENIED**.

Dated this 29th day of May, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge